

Remarks

In the first and second paragraphs of the Official Action, Examiner rejected claims 1-16 under 35 U.S.C. 103(a) as being unpatentable over Stewart in view of
5 D'Amico. This rejection is respectfully traversed.

This application has a filing date of February 11, 2000. Stewart was filed November 30, 2000, or more than nine months after this application. D'Amico was filed February 9, 2001, about a year after this application.
10 Although both of the published applications claimed priority from provisional applications, the files of the provisional applications are unavailable to determine whether the claimed features were disclosed in those provisional applications. Thus, the provisionals are
15 unavailable as prior art. The publications relied upon by Examiner are not prior to the filing date of this application, and thus, they are not prior art under 35 U.S.C. 103 or 35 U.S.C. 102. Because Examiner has cited no prior art references on which to base the rejection, the
20 rejection is improper. There being no further rejections, claims 1-16 are allowable.

Respectfully submitted,

November 13, 2003

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